

## **EXHIBIT D**

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**From:** David Perlson <davidperlson@quinnemanuel.com>  
**Sent:** Tuesday, July 04, 2017 9:45 PM  
**To:** Jonathan Patchen  
**Cc:** Cheryl Cauley; Karan Dhadialla; QE-Waymo  
**Subject:** RE: Waymo v Uber - Stroz Subpoena

Jonathon, we had to move to compel Stroz to comply with the subpoena after numerous roadblocks in discovery. We expect Stroz to comply. To the extent there were concerns regarding Mr. Ron's materials, they should have been raised before motion practice. That, as you asserted on our call, you were not informed that Mr. Ron's materials were at issue by Stroz or Uber until after the Court denied the various motions as to the Stroz subpoena does not change this.

David

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**From:** Jonathan Patchen [mailto:jpatchen@taylorpatchen.com]  
**Sent:** Friday, June 30, 2017 12:30 PM  
**To:** David Perlson <davidperlson@quinnemanuel.com>  
**Cc:** Cheryl Cauley <ccauley@taylorpatchen.com>; Karan Dhadialla <kdhadialla@taylorpatchen.com>; QE-Waymo <qewaymo@quinnemanuel.com>  
**Subject:** RE: Waymo v Uber - Stroz Subpoena

David –

As we discussed on the telephone call today, we have substantial concerns with some of the requests in the Stroz subpoena (Dkt. 570) in that it calls for the production by Stroz of the materials Mr. Ron provided to Stroz. In particular, we are concerned with Request Nos. 9, 12, 30 and 31. For example, Request No. 9 calls for the production of “ALL DOCUMENTS” provided to Stroz by Mr. Ron—without any limitation to what is relevant to the Waymo/Uber litigation. As you know, Mr. Ron provided devices, including personal devices like laptops and phones, to Stroz. (L. Ron. Dep. Tr. at 96). The Stroz subpoena calls for production of reams of personal, private, and irrelevant materials as set forth in our June 23, 2017 motion. (Dkt. 729).

We have access to, and can search and produce from, the materials provided by Mr. Ron to Stroz. And, as of June 26, Waymo has now subpoenaed Mr. Ron directly.

We propose that Waymo agree that Stroz need not produce documents provided by Mr. Ron to Stroz and that the parties instead will work through the production of responsive, non-privileged materials in Mr. Ron's possession, custody or control in the context of Waymo's June 26 subpoena to Mr. Ron.

We request that you respond to our proposal by close of business on July 3, 2017. If Waymo does not accept our proposal, Mr. Ron will move to quash, or for a protective order, on July 5.

Best regards,

Jonathan

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**From:** Jonathan Patchen  
**Sent:** Friday, June 30, 2017 11:01 AM  
**To:** David Perlson  
**Cc:** Cheryl Cauley; Karan Dhadialla; QE-Waymo  
**Subject:** RE: Waymo v Uber - Stroz Subpoena

Sure. 415-788-8200 when you get free.

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**From:** David Perlson [<mailto:davidperlson@quinnemanuel.com>]  
**Sent:** Friday, June 30, 2017 11:00 AM  
**To:** Jonathan Patchen  
**Cc:** Cheryl Cauley; Karan Dhadialla; QE-Waymo  
**Subject:** RE: Waymo v Uber - Stroz Subpoena

Jonathan, we have a meet and confer with special master still going on. Can I call you after?

David

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**From:** Jonathan Patchen [<mailto:jpatchen@taylorpatchen.com>]  
**Sent:** Thursday, June 29, 2017 4:44 PM  
**To:** David Perlson <[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)>  
**Cc:** Cheryl Cauley <[ccauley@taylorpatchen.com](mailto:ccauley@taylorpatchen.com)>; Karan Dhadialla <[kdhadialla@taylorpatchen.com](mailto:kdhadialla@taylorpatchen.com)>; QE-Waymo <[gewaymo@quinnemanuel.com](mailto:gewaymo@quinnemanuel.com)>  
**Subject:** RE: Waymo v Uber - Stroz Subpoena

Thanks. I'll give you a ring then.

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**From:** David Perlson [<mailto:davidperlson@quinnemanuel.com>]  
**Sent:** Thursday, June 29, 2017 4:38 PM  
**To:** Jonathan Patchen  
**Cc:** Cheryl Cauley; Karan Dhadialla; QE-Waymo  
**Subject:** RE: Waymo v Uber - Stroz Subpoena

Jonathan, I could talk at 11 am tomorrow.

David

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**From:** Jonathan Patchen [<mailto:jpatchen@taylorpatchen.com>]  
**Sent:** Thursday, June 29, 2017 1:44 PM  
**To:** David Perlson <[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)>  
**Cc:** Cheryl Cauley <[ccauley@taylorpatchen.com](mailto:ccauley@taylorpatchen.com)>; Karan Dhadialla <[kdhadialla@taylorpatchen.com](mailto:kdhadialla@taylorpatchen.com)>  
**Subject:** Waymo v Uber - Stroz Subpoena

David --

We would like to meet and confer today, or tomorrow morning, in light of Judge Alsup's Order, Dkt. 745, related to the Waymo subpoena to Stroz Friedberg, and our potential need to bring a motion to quash before Judge Corley. Please let me know when you are available for a call.

Thanks,

Jonathan

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